REMARKS

Applicants appreciatively acknowledge the Examiner's statement that claims 1 – 8 and 18 appear to be in condition for allowance and note the Examiner's statement that claims 11 – 15 are objected to and that claims 9, 10, 16, 17 and 19 are rejected.

Amendments:

Claim 19 is amended to clarify the process of preparation of the pharmaceutical composition.

Claim 20, dependent on Claim 19, is a new claim.

Support for Claims 19 and 20 can be found in the specification as originally filed on page 21.

Claim 9 to 19 inclusive are listed as "original" as they have been rejoined by the Examiner.

Rejections under 35 U.S.C. 112, second paragraph:

Applicants believe the Examiner's rejection under 35 U.S.C. 112, second paragraph are overcome by the requested amendments.

Rejections under 35 U.S.C. 112, first paragraph:

Applicants acknowledge the Examiner's discussion of the state of the prior art and the predictability or lack thereof in the art. The Examiner states, "the specification fails to provide

sufficient support of the broad use of the compound of claim 1 for the treatment or prevention of any and all diseases, conditions, or disorders encompassed by the language of claims 9 and 10, as well as Alzheimer's in claim 16, and, "a method for treating or preventing a condition or disorder arising from dysfunction of nicotinic acetylcholine receptor neurotransmission," of claim 17. Applicants respectfully point out that the aforesaid language is found in Claim 9, not Claim 17.

The Examiner states, second paragraph on page 6, "While the Examiner agrees that Applicants are enabled for treating certain diseases, conditions or disorders . . ." and on page 7, first full paragraph "the specification fails to provide sufficient support of the broad use . . ."

However, Applicants find no guidance from the Examiner as to which diseases, conditions or disorders the Examiner considers that Applicants have enabled for treating and, thus, are uncertain how to respond to the Examiner's rejection under 35 U.S.C. 112, first paragraph.

Applicants respectfully solicit guidance from the Examiner as to which diseases, conditions or disorders the Examiner considers treatment thereof enabled.

Notwithstanding the foregoing, Applicants take the position that the specification is enabling for treating all conditions mentioned and that the quantity of experimentation is not undue. Those skilled in the art knew at the time the application was filed of the use of compounds that bind nicotinic acetylcholine receptors in the treatment of a range of disorders, as discussed in the Background of the Invention, page 1 of the specification. Additionally, with the guidance provided in the specification those skilled in the art would know how to determine the binding properties of a compound of Formula I and would appreciate that a compound having such binding activity would interact with nicotinic acetylcholine receptors and would be useful in the treatment of the named disorders.

Accordingly, Applicants respectfully suggest that the Examiner's rejection under 35 U.S.C. 112, first paragraph is without basis and solicit its withdrawal.

Conclusion:

In view of the amendments and remarks herein, Applicants respectfully suggest that the Examiner's rejections and objections are either overcome or without merit and solicit prompt further Examination on the merits and issue of a Notice of Allowance.

Respectfully submitted,

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